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Fulton, Baeuerlen, Gent, Gawith, Edwards, Santini, and Wilson

**UNITED STATES DISTRICT COURT**

**DISTRICT OF OREGON**

**EUGENE DISTRICT**

ANZHELIKA PAYNE, personal representative  
to the estate of LANDON JAY PAYNE,

Plaintiff,

v.

JAIRO SOLORIO, an individual, ANDREW  
ROBERTS, an individual, JACOB THOMAS,  
an individual, ROBERT GRIESEL, an  
individual, JUSTIN WILSON, an individual,  
ZACHERY FULTON, an individual, EMMA  
GROTEFEND, also known as EMMA  
EDWARDS, an individual, COLTER  
GAWITH, an individual, NATHAN GENT, an  
individual, MICHAEL BAEUERLEN, an  
individual, STEPHEN FOLEY, an individual,  
JOSEPH FISHER, an individual, JEREMY  
FIFER, an individual, WILLIAM MCCLURE,  
an individual, LANCE JESTER, an individual,  
RICHARD CLINTON RILEY, an individual,  
CONNOR WEST SANTINI, an individual,  
LANE COUNTY, and CITY OF EUGENE, a  
municipal corporation.

Defendants.

Case No. 6:22-cv-00471-MC

**STATUS REPORT**

Pursuant to the Court's January 3, 2025, scheduling order (ECF No. 86), the parties have conferred and, through the undersigned, submit the following report regarding the status of this matter.

- On January 16, 2025, Defendants Santini and Fulton filed a notice of appeal in this Court, seeking interlocutory appeal by the Ninth Circuit of this Court's December 23, 2024, Opinion and Order denying their request for qualified immunity. Counsel for Defendants Santini and Fulton have argued that, upon filing of that notice of appeal, this matter is automatically stayed, citing *Chuman v. Wright*, 960 F. 2d. 104, 105 (9<sup>th</sup> Cir. 1992).
- Respectfully, in light of Defense Counsel's argument that the filing of a notice of appeal creates an automatic stay of the trial in this case pending the outcome of the interlocutory appeal, the parties have not conferred on trial dates as directed by the Court to do.

DATED this 17<sup>th</sup> day of January 2025.

HUTCHINSON COX

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**CERTIFICATE OF SERVICE**

I certify that on January 17, 2025, I served or caused to be served a true and complete copy of the foregoing **STATUS REPORT** on the party or parties listed below as follows:

- ☒ Via the Court's Efiling System
- ☐ Via First-Class Mail, Postage Prepaid
- ☐ Via Email
- ☐ Via Personal Delivery
- ☐ Via Facsimile

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